GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Mines & Minerals – Mining Lease held by M/s. The India Cements Ltd., for Limestone over an extent of 1611.37 Acres in Sy.Nos.132,133 etc of Pondugula Village, Dachepalli Mandal and Sy.No.840, 841 etc. of Pulipadu Village, Gurajala Mandal, Guntur District – Extension of Mining Lease upto 50 years i.e., upto 03.04.2037 under Section 8 A(5) of MM(D&R) Act, 1957 - Orders - Issued.

INDUSTRIES & COMMERCE (M.III) DEPARTMENT

G.O.MS.No. 43 Dated: 14-06-2021.

Read the following:

1. G.O.Ms.No.469, Ind & Com (Mines-VI) Dept.,dt:18.10.1985.
2. G.O.Ms.No.422, Ind & Com (M-II), Dept., dt:02.08.2000
3. G.O.Ms.No.140, Ind & Com (M-II), Dept., dt:29.04.2006
4. GO.Ms No. 67, Ind & Com (M-III), Dept., dt:14.08.2015
5. From the DM&G, A.P., Vijayawada Lr.No.2142380/R3-3/2018, dt.03.05.2019
6. Govt.Memo.No.INC01-MG0MAJM/53/2019, dated:05.11.2019.
7. From the DM&G., A.P., Vijayawada, notes dated:22.09.2020 in Single File No. 2142380/D7-1/2018.
8. Govt.Memo.No. MG0MINM/42/2020/M.III, dated:15.12.2020.
9. From the DM&G., A.P., Vijayawada, notes dated:20.04.2021 in Single File No. 2142380/D7-1/2018.

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ORDER:

In the G.O., 1st read above, Government initially granted mining lease in favour of M/s Raasi Cement Limited for Limestone over an extent of 3755.80 Acres in Sy.Nos.132,133 etc., of Pondugula Village, Dachepalli Mandal and Sy.Nos.840, 841 etc of Pulipadu Village, Gurazala Mandal, Guntur District for a period of 20 years. Subsequently, M/s Raasi Cement Limited deleted an extent of 1932.29 Ac of the original grant and also an extent of 136.93 Acres due to non availability of consent letters of the Pattadars and retained an extent of 1686.58 Acres as against the original grant of 3755.80. The lease deed for the same was executed by the ADM&G, Guntur on 04.04.1987 and the mining lease was in force w.e.f 04.04.1987 to 03.04.2007 in an extent of 1686.58 Acres.

2. Subsequently, the Government, vide G.O.2nd read above, have issued orders transferring the subject Mining Lease in favour of M/s. The India Cements Limited for the unexpired portion of the lease period up to 03.04.2007. The lease transfer deed was executed and work orders were issued and the lease would be in force up to 03.04.2007.

3. The Government, vide GO 3rd read above, have issued orders accepting part surrender of an extent of 73.21 Acres out of the mining lease area of 1686.58 Acres in Sy.Nos.751/2A, 775/2,777 & 788 of Pondugula Village of Dachepalli Mandal, Guntur District held by M/s The India Cements Ltd. w.e.f., 14.09.2005 due to passing of railway line Nadikudi-BeebiNagar through the mining lease area.

P.T.O.

4. The Government have also issued orders, vide G.O., 4th read above, deleting 2.00 Acres of Land in Sy.Nos. 682/2A, 915 & 890 of Pondugula Village, Dachepalli Mandal from the existing lease area of 1613.37 Acres held by M/s The India Cements Limited so as to handover the land to Commercial Tax Department for establishment of border check post at Pondugula Village, Dachepalli Mandal, Guntur District.

5. In the letter 5th read above and in further notes in single file 7th and 9th read above, the Director of Mines and Geology, A.P., Vijayawada, while submitting a detailed proposal for extending the existing lease period, has stated that the application for 1st renewal of Mining lease was filed by The India Cements Limited on 31.03.2006. But, due to pending of the Demand Notice issued based on the vigilance report of CVU O/o DMG, Hyderabad and subsequent filing of statutory Revision Application thereon by the Lessee company before the GoI in pursuance of the orders of the Hon'ble High Court in W.P. No.34936/2015, the ADM&G, Dachepalli could not process the same within the stipulated time. However, the lessee company has paid total amounts later as against the said Demand Notice. Subsequently, the ADM&G, Dachepalli submitted proposals to the DM&G for the 1st renewal of ML over an extent of 1611.37 Acres. The lease is currently being operated under Rule 24 A (6) of Mineral Concession Rule 1960.

6. The DM&G., has further stated that as reported by the ADM&G., Dachepalli, The India Cements Limited has 2 more Mining leases in Telangana State besides the lease in question which are captive purpose to the Cement Plant located at Vishnupuram, Wadapally Village, Damaracherla Mandal, Nalgonda District, Telangana State with a capacity 3,00,000 tonnes clinker per annum, 2nd line with installed capacity of 8,00,000 tonnes added in the year 1986. The combined capacity of Cement Plant is further increased through brown expansion Programmes at various stages. Latest Cement plant upgradation was completed in the year 2009-10 thereby increasing the clinker production capacity of 28.56 lakh tonnes per annum. Setting up of captive unit within the State is not applicable to the lessee company as the ML is granted for captive requirement of the existing cement plant located at Wadapally. According to the report of the ADM&G, Dachepalli M/s The India Cements Ltd. obtained dispatch permits for a quantity of 59,64,370 MTS for the period from 2014-15 to 2020-2021 i.e., up to 26.06.2020 and the lessee company is not having Mineral Revenue Dues to the Government.

7. The DM&G, A.P., has, therefore, requested the Government to extend the existing lease period in favour of M/s The India Cements Limited over the subject area for a period of Fifty (50) years upto 03.04.2037 under Section 8 A(5) of MM(D&R) Act, 1957 on the said grounds as the mineral is used for captive purpose only and keeping in view the statutory clearances like AMP, EC, CFE & CFO submitted by the lessee company.

8. Government, after careful examination of the matter, hereby extend the existing Mining Lease held by M/s The India Cements Limited for Limestone over an extent of 1611.37 Acres in Sy.Nos.132,133 etc of Pondugula Village,

Dachepalli Mandal and Sy.Nos.840, 841 etc. of Pulipadu Village, Gurajala Mandal, Guntur District for a period of Fifty (50) years i.e., upto 03.04.2037 under Section 8 A(5) of MM(D&R) Act, 1957 subject to satisfaction of all other terms and conditions laid down under the MM(D&R) Act and the Rules made there under and subject to satisfaction of all standing instructions and guidelines issued by the GoI and State Government from time to time.

9. The Director of Mines & Geology, A.P., Vijayawada shall take necessary further action after satisfying himself that the grantee fulfills all the required provisions of the MM(D&R) Act & Rules made there under.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT(M)

To
The Director of Mines & Geology, A.P., Vijayawada. (w.e. file)
Copy to:
M/s.The India Cements Ltd., Corporate office: Coromandel Towers, 93, Santhome High Road, Karpagam Avenue, R.A.Puram, Chennai – 600 028.
The Deputy Director of Mines & Geology, Guntur District.
The Assistant Director of Mines & Geology, Dachepalli.
The Collector & District Magiastrate, Guntur District.
The Secretary to Govt. of India, Ministry of Mines, Sastry Bhavan, New Delhi-110 001.
The Controller General, Indian Bureau of Mines, Indira Bhavan, Civil Lines, Nagpur – 440 001.
The Director General, Mines Safety, Dhanbad, Jarkhand.
The Regional Controller of Mines, IBM, Kavadiguda, Secunderabad.
SF/SC(Comp.No. 1260381)

//FORWARDED : BY ORDER//

SECTION OFFICER